



November 14, 2001

## Policy Brief..... Conference Report FY 2002 Commerce, Justice, State Appropriations

### BY THE NUMBERS:

*Budget Authority in Billions of Dollars*

	<b>FY '01 Enacted*</b>	<b>FY '02 Request</b>	<b>FY '02 House</b>	<b>FY '02 Senate</b>	<b>FY '02 Conference</b>
Appropriations	38,209	37,942	38,541	38,641	38,656

\*Includes Supplemental Funding

#### The Conference Report is:

- **\$447 million or 1.2% above last year;**
- **\$714 million or 1.9% above the request;**
- **\$115 million or 0.3% above the House-passed bill; and**
- **\$15 million or 0.03% above the Senate-passed bill.**

### USER FEES:

The Conference Report adopts the President's proposal to increase user fees as follows:

- Increase from \$6 to \$7 the air passenger inspection fee, and
- Impose a \$3 fee per individual for the immigration or preinspection of each commercial vessel passenger (cruise ships).

Together these user fees will generate approximately \$109 million a year in revenue

### **STATUS OF PROGRAM TERMINATIONS:**

The bill does NOT terminate funding for the following programs (The House proposed eliminating funding):

- Advanced Technology Program (ATP) – The Conference Report provides \$184.5 million for the program. Last year the program was funded at \$142.6 million.
- North-South Center – The Conference Report includes \$1 million. Last year the Center received \$1.75 million.

## NEW PROGRAMS:

- U.S. Canada Alaska Rail Commission – The Conference Report includes \$2 million for a new commission to study the feasibility of connecting continental railway systems to the Alaska railway.
- The Conference Report provides funding for a variety of **Violence Against Women Act Programs** authorized last year.
- The Conference Report provides \$50 million for the Project ChildSafe Initiative, President Bush's proposal to subsidize the purchase of **gun locks**
- The Conference Report provides \$20 million for Project Sentry, President Bush's proposal to **reduce violence in schools**
- The Conference Report provides \$50 million for prosecution assistance for a national program to reduce gun violence (similar to **Project Exile**)

## LANGUAGE OF NOTE:

### The Conference Report maintains provisions carried in previous years prohibiting the use of funds for:

- Abortion
- Establishing a Fee Under the Instant Check System
- Maintaining Records of Those Approved for Gun Ownership Under the Instant Check System
- Programs that Discriminate or Denigrate Moral or Religious Beliefs.

**Suits Against Japanese Corporations:** The bill does NOT contain language proposed in both the House and Senate prohibiting on the Justice Department opposing civil actions against Japanese corporations for compensation in which the plaintiff alleges that, as an American prisoner of war during World War II.

**Posthumous Citizenship for Individuals Killed in Terrorist Attack of September 11<sup>th</sup>:** The Conference Report establishes a procedure whereby individuals who were killed as a result of the terrorist attacks of September 11<sup>th</sup> and who had an application for naturalization pending may be awarded posthumous citizenship upon the application of the next of kin. Individuals who would have not been otherwise granted citizenship because of reasons other than failure demonstrate understanding of English language, history, and form of government of the U.S. and failure to take an oath of renunciation or allegiance or not eligible for posthumous citizenship. The provision also explicitly states that nothing shall be construed as providing for any benefits for any relative of a person granted posthumous citizenship.

**Mandatory Passenger Manifests:** The Conference Report makes it mandatory for those operating commercial aircrafts and vessels entering or departing the United States to provide passenger manifests to the Attorney General.

**Creation of Deputy Attorney General for Combating Terrorism:** The Conference Report requires the President to submit a plan to create a coordinator for domestic terrorism within the Justice Department, if the President fails to make such a recommendation or if Congress fails to create such a position by June 30, 2002, then a position is automatically created. The Conference Report spells out duties, funding, and responsibility for the new Deputy Attorney General.

**Compensation for Victims of International Terrorism:** The bill requires the President to submit a proposal to establish a system for compensation program for U.S. victims of international terrorism.

**International Criminal Court:** The conference Report prohibits funds from being used to provide assistance or support to the International Criminal Court or the Preparatory Commission.

**Prohibition on Use of Certain Materials by Inmates:** The Conference Report makes permanent several provisions prohibiting the use of funds for providing pornographic material to inmates or having access to certain amenities and includes a new provision prohibiting the use of funds to provide cable television services and video equipment that is used primarily for recreational purposes.

**Hmong Veterans:** The Conference Report extends from 18 months to 36 months the applicability of Hmong Veterans Naturalization Act as it applies to certain former spouses of deceased Hmong Veterans.

**Advisory Commission on Public Diplomacy:** The bill strikes the October 1, 2001 sunset for the Advisory Commission on Public Diplomacy and extends the program through 2005. In 1998, Congress repealed the Commission and then in 1999 extended it through 2001.

**Land Border Ports of Entry Pilot Projects:** The Conference Report authorizes the Attorney General to increase from 6 to 96 the number of Land Border Ports of Entry pilot projects.

**Health Insurance for Injured Law Officers:** The Conference Report limits funding under the Law Enforcement Block Grant to 90% to any entity that does not provide public safety officers separated from duty because of injuries suffered in the line of duty with health benefits equal to what they received while on duty.

## **EARMARKS:**

As in past years, the bill earmarks millions of dollars for specific law enforcement and small business projects.

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# FUNDING SUMMARIES:

*Dollars in Thousands*

	FY 2001 Enacted	FY 2002 Request	FY 2002 House	FY 2002 Senate	FY 2002 Conference	Conf Vs. FY 2001	Conf Vs. Request
<b>Department of Justice</b>							
General Administration.....	88,518	93,433	91,668	93,433	91,668	3.56%	-1.89%
Counterterrorism Fund.....	4,989	4,989	4,989	0	4,989	0.00%	0.00%
FBI.....	3,245,132	3,507,109	3,491,073	3,425,041	3,491,073	7.58%	-0.46%
DEA.....	1,360,126	1,480,929	1,476,083	1,489,779	1,481,783	8.94%	0.06%
INS.....	3,118,999	3,388,001	3,371,440	3,176,037	3,371,440	8.09%	-0.49%
Federal Prison System.....	4,306,415	4,666,139	4,647,952	4,779,454	4,625,581	7.41%	-0.87%
State & Local Law Enforcement.....	2,842,660	2,017,726	2,519,575	2,094,990	2,403,354	-15.45%	19.11%
COPS Program.....	1,030,054	855,109	1,013,498	1,049,659	1,050,440	1.98%	22.84%
Juvenile Justice Programs.....	297,940	297,940	297,940	333,407	305,860	2.66%	2.66%
<b>Commerce Department</b>							
Trade Representative.....	29,452	30,097	30,097	30,097	30,097	2.19%	0.00%
International Trade Commission.....	47,994	51,440	51,440	51,440	51,440	7.18%	0.00%
International Trade Administration.....	333,702	329,590	344,654	344,090	344,547	3.25%	4.54%
Export Administration.....	64,711	68,893	68,893	68,893	68,893	6.46%	0.00%
Economic Development Administration.....	438,911	365,557	365,557	371,557	365,557	-16.71%	0.00%
Minority Business Development Agency.....	27,254	28,381	28,381	28,381	28,381	4.14%	0.00%
Bureau of Census.....	432,679	543,396	519,800	517,090	490,800	13.43%	-9.68%
Telecommunications & Information Admin.....	100,216	73,023	72,017	73,023	73,023	-27.13%	0.00%
Scientific & Technical Research & Services.....	311,929	347,288	348,589	343,296	321,111	2.94%	-7.54%
Industrial Technology Services.....	250,285	119,266	119,514	309,337	291,022	16.28%	144.01%
National Oceanic & Atmospheric Administration.....	3,040,789	3,063,600	3,092,728	3,363,285	3,256,098	7.08%	6.28%
Departmental Management.....	35,841	37,652	35,843	42,062	37,652	5.05%	0.00%
<b>Judiciary</b>							
Supreme Court Salaries & Expenses.....	37,512	42,114	42,066	39,988	39,988	6.60%	-5.05%
Care of Supreme Court Bldg & Grounds.....	7,513	117,742	70,000	7,530	37,530	399.53%	-68.13%
Other Courts.....	4,209,756	4,712,857	4,565,884	4,441,616	4,522,920	7.44%	-4.03%
<b>State Department</b>							
Diplomatic & Consular Programs.....	3,167,174	3,705,140	3,653,735	3,471,168	3,630,012	14.61%	-2.03%
Educational & Cultural Exchange.....	231,078	242,000	237,000	242,000	237,000	2.56%	-2.07%
Embassy Security, Construction.....	1,077,600	1,291,006	1,285,960	1,066,951	1,273,960	18.22%	-1.32%
International Organizations.....	868,917	878,767	850,000	1,091,348	850,000	-2.18%	-3.27%
International Peacekeeping.....	844,139	844,139	844,139	773,182	844,139	0.00%	0.00%
Payment to Asia Foundation.....	9,230	9,250	9,250	8,000	9,250	0.22%	0.00%
East-West Center.....	13,470	13,500	9,400	14,000	14,000	3.93%	3.70%
National Endowment for Democracy.....	30,931	31,000	33,500	31,000	33,500	8.31%	8.06%
International Broadcasting.....	398,093	428,234	453,106	414,752	428,234	7.57%	0.00%
<b>Related Agencies</b>							
Civil Rights Commission.....	8,880	9,096	9,096	9,096	9,096	2.43%	0.00%
Equal Employment Opportunity Commission.....	303,195	310,406	310,406	310,406	310,406	2.38%	0.00%
Federal Communications Commission.....	229,494	248,545	238,597	252,545	245,071	6.79%	-1.40%
Federal Trade Commission.....	147,154	156,270	155,982	156,270	155,982	6.00%	-0.18%
Legal Services Corporation.....	329,274	329,300	329,300	329,300	329,300	0.01%	0.00%
Securities & Exchange Commission.....	421,870	437,900	437,900	514,047	437,900	3.80%	0.00%
Small Business Administration Salaries & Expenses...	367,824	321,219	310,581	333,233	308,476	-16.13%	-3.97%
Business Loan Program Account.....	293,762	130,500	217,500	224,360	208,860	-28.90%	60.05%
Disaster Loan Program Account.....	184,088	78,354	204,864	204,864	209,714	13.92%	167.65%

